

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

HENRY GIBBS, JR.

PLAINTIFF

V.

NO. 4:16-CV-12-DMB-JMV

DOCTOR SANTOS

DEFENDANT

ORDER OF DISMISSAL

On May 27, 2016, this Court entered an order revoking Henry Gibbs, Jr.'s in forma pauperis status due to his violation of the "three strikes" provision of the Prison Litigation Reform Act. Doc. #11. The order directed Gibbs to "pay the full filing fee within twenty (21) days of the date of this order" and warned that the Clerk of Court would dismiss the case if he failed to do so. *Id.* at 2.

On June 13, 2016, Gibbs filed a motion for reconsideration of the Court's order revoking his in forma pauperis status, and on June 27, 2016, he appealed the Court's order to the Fifth Circuit Court of Appeals. Doc. #13; Doc. #15. On September 14, 2016, the Court denied Gibbs' motion for reconsideration and stayed his motions for injunctive relief pending the Fifth Circuit's ruling on his appeal. Doc. #20. On October 19, 2016, the Fifth Circuit dismissed Gibbs' appeal for failure to pay the filing fee. To date, more than one month after the dismissal of his appeal, Gibbs has failed to pay the filing fee. Accordingly, this case is **DISMISSED** for failure to comply with an order of the Court and for failure to prosecute under Federal Rule of Civil Procedure 41(b). Consequently, Gibbs' pending motions for injunctive relief [6][18] are **DISMISSED as moot**.

SO ORDERED, this 1st day of December, 2016.

/s/ Debra M. Brown

UNITED STATES DISTRICT JUDGE